

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**TOD CURTIS, individually and as beneficiary,
FIRST UNITED TRUST COMPANY, as
Trustee under Trust No. 10510, and ELTO
RESTAURANT INC., an Illinois corporation,**

Plaintiffs,

v.

**IRVANA K. WILKS, Village of Mount
Prospect Mayor and Local Liquor Control
Commissioner, MICHAEL E. JANONIS,
Village of Mount Prospect Manager,
WILLIAM COONEY, Village of Mount
Prospect Economic Director, WILLIAM
SCHROEDER, Village of Mount Prospect
Building Commissioner, ROBERT ROELS,
Village of Mount Prospect Environmental
Health Manager, FRANK KRUPA, Village of
Mount Prospect Environmental Health
Inspector, OZ DEVELOPMENT, LLC, and the
VILLAGE OF MOUNT PROSPECT,**

Defendants.

No. 08 cv 03527

Judge Guzman

Magistrate Nolan

NOTICE OF FILING

To: Lance C. Malina
Klein, Thorpe and Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, Illinois 60606

John J. Foley
Maurides & Foley, L.L.C.
2 North LaSalle Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on Monday, August 18, 2008, we electronically filed with the Clerk of the U.S. District Court for the Northern District of Illinois, Eastern Division, the attached *Response in Opposition to Certain Defendants' Motion Requesting That the Court Abstain From Exercising Jurisdiction Over the Complaint*, a copy of which is attached hereto and served upon you.

Dated: August 18, 2008

Respectfully submitted,

**TOD CURTIS, FIRST UNITED TRUST CO.,
and ELTO RESTAURANT CORPORATION**

By: s/ Theodore J. Koerth
One of Their Attorneys

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David T. Ballard
Theodore J. Koerth
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CERTIFICATE OF SERVICE

I, Theodore J. Koerth, an attorney, do hereby certify that I caused copies of the attached *Response in Opposition to Certain Defendants' Motion Requesting That the Court Abstain From Exercising Jurisdiction Over the Complaint* to be electronically filed with the Clerk of the Court and served on the following using the CM/ECF system on August 18, 2008:

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s/ Theodore J. Koerth